

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
Eastern Division**

THOMAS W. DURKIN, as Special
Administrator of the Estate of MARY V.
DURKIN,

Plaintiff,

v.

BAYER CORPORATION, BAYER
PHARMACEUTICALS
CORPORATION, BAYER
HEALTHCARE LLC, and BAYER A.G.,

Defendants.

Civil Action No. 1:07-cv-07162

**DEFENDANTS' UNOPPOSED MOTION TO STAY PROCEEDINGS
PENDING TRANSFER TO MULTIDISTRICT LITIGATION**

In the interest of judicial economy and to avoid prejudice, Defendants Bayer Corporation, Bayer Pharmaceuticals Corporation,¹ and Bayer HealthCare LLC hereby move for a stay of proceedings pending transfer of this case to multidistrict litigation. The reasons for this motion are set forth more fully in the Memorandum in Support that has been filed and served simultaneously with this motion.

¹ Effective January 1, 2008, Bayer Pharmaceuticals Corporation was merged with and into Bayer HealthCare Pharmaceuticals Inc. and ceased to exist as a separate entity. At this time, Bayer Pharmaceuticals Corporation continues as a defendant in this action. *See* Fed. R. Civ. P. 25(c).

February 4, 2008

Defendants

By: /s/ Craig A. Knot
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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing MOTION TO STAY PROCEEDINGS PENDING TRANSFER TO MULTIDISTRICT LITIGATION were mailed or electronically delivered through this Court's Electronic Filing System on this 4th day of February, 2008, to the following counsel of record and that consent for electronic delivery was received from all counsel of record who were electronically served:

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/s/ Craig A. Knot

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